

In re Patent Application of

Atty Dkt. 1430-256

BONNEFOY et al.

C# M#

Serial No. 09/674,716

Group Art Unit: 1644

Filed: November 6, 2000

Examiner: P.N. Huynh

Title: ANTIBODIES TO CD23, DERIVATIVES THEREOF, AND THEIR THERAPEUTIC USES

Date: February 14, 2003

Assistant Commissioner for Patents
Washington, DC 20231

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Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 19 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 8 minus highest number
previously paid for 8 (at least 3) = 0 x \$ 84.00 \$ 0.00

* If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 110.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 110.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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GRT:ap

NIXON & VANDERHYE P.C.

By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BONNEFOY et al.

Appln. No. 09/674,716

Filed: January 22, 2001

Atty. Ref.: 1430-256

Group Art Unit: 1644

Examiner: P.N. Huynh

FOR: ANTIBODIES TO CD23, DERIVATIVES THEREOF, AND THERAPEUTIC USES

* * *

RESPONSE TO RESTRICTION REQUIREMENT

February 14, 2003

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the pending Office Action (Paper No. 17) mailed December 31, 2003, entry and consideration of the following amendments and remarks are respectfully requested.

Claims 1-19 are pending. Applicants elect Group I (claims 1-14 and 18-19) with traverse for examination on the merits. Applicants reserve the right to prosecute the nonelected subject matter in a further patent application.

Reconsideration of the restriction requirement is requested.

Notwithstanding the above election, Applicants respectfully disagree with the Examiner's contention that claims 1-19 lack unity of invention, and hence fall into different groups of inventions. Traversal is based on the claims being so linked as to form a single general inventive concept under PCT Rule 13.1. Therefore, Applicants request that claims 1-19 be examined together in this application.

Thus, although the inventions identified by the Examiner are separately patentable, it would not constitute an undue burden to search and examine the claims of Group I and claims 15-17 in the same application. Both the need for compact prosecution and the public interest would be served by examination of all claims in a single application.

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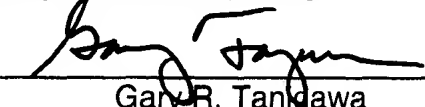
BONNEFOY et al. – Appln. No. 09/674,716

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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